

AMENDMENT UNDER 37 C.F.R. § 1.111
Application Serial No. 10/652,207
Attorney Docket No. Q77255

REMARKS

Claims 1-12 are all the claims pending in the application. Claim 1 is amended. No new matter is presented.

Initially, Applicant notes that the Examiner has not indicated acceptance of the drawings filed on February 19, 2004. Accordingly, the Examiner is requested to indicate acceptance of these drawings in the next action.

To summarize the Office Action, claims 1-10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ikeda (U.S. Patent No. 6,346,011) in view of Takahashi et al. (U.S. Patent No. 6,206,718, hereinafter "Takahashi"). Further, the Examiner indicates that claims 11-12 are objected to for depending from a rejected base claim, but would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims.

With respect to the rejection of claims 1-10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ikeda in view of Takahashi, Applicant respectfully traverses this ground of rejection.

Claim 1 defines a battery connecting plate comprising, *inter alia*, a plate body, disposed on a plurality of arrayed batteries; a first terminal, provided with a first portion which is connected to one of the batteries, and a second portion which is connected to an electronic element; and a cover member, attached onto the plate body in a first direction, to provisionally fix the first terminal on the plate body. Further, claim 1 requires the first terminal is provided with a tolerance compensator, which connects the first portion and the second portion while

compensating a positional difference between the second portion and a predetermined position of the second portion in the first direction. Thus, in an exemplary embodiment, the tolerance compensator of the first terminal of the claimed battery connecting plate provides for compensation of a positional difference, which may result from size differences in batteries connected to the connecting plate, in order to prevent cracks in the terminals or the soldered portion from occurring. *See, e.g.*, Specification at pages 10 and 11 and Fig. 2.

Notwithstanding the grounds of rejection, Applicant submits that the combination of Ikeda and Takahashi fails to teach all the limitations of claim 1. For instance, the Examiner alleges that Ikeda teaches “substantially all the claimed invention except for the tolerance compensator. However, Applicant notes that in the battery connecting plate of Ikeda, voltage detecting terminals 17, which includes contact portion 18, and bus bars 16 are insertion-molded with a plate body. *See* Ikeda at col. 5, lines 61-67. In other words, the hole 18a of contact portion 18, and element mount portion 19, which the Examiner analogizes to the claimed first portion and the second portion, respectively, of the claimed first terminal are fixed by virtue of the insert-molded construction. *See* Ikeda at col. 6, lines 21-26

As a consequence of the insert-molded structure of Ikeda, a tolerance compensator that “compensates a positional difference between the second portion and a predetermined position of the second portion in the first direction”, cannot be provided to contact portion 18 of Ikeda. Thus, even if the contact portion 18 of Ikeda is modified to include the thin part 51 of Takahashi, as suggested by the Examiner, the combination would not teach all the claim limitations. Rather,

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as shown above, the insert-molded configuration of Ikeda would prevent incorporation of a tolerance compensator with the claimed features.

Therefore, even assuming the Examiner's asserted motivation to combine the teachings of Ikeda and Takahashi is proper, the combination still fails to teach all the limitations of claim 1. Accordingly, claim 1 is believed to be allowable. Further, claims 2-12 are believed to be allowable at least by virtue of depending from claim 1, and allowance of these claims is requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

CUSTOMER NUMBER

Date: October 6, 2005